

Please type a plus sign (+) inside this box ☐

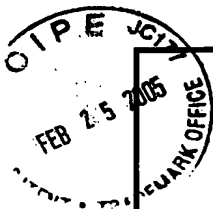


02-28-05

PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/989,721
Filing Date	November 19, 2001
First Named Inventor	Goddard, et al.
Group/Art Unit	1647
Examiner Name	Spector, Lorraine
Attorney Docket Number	39780-2730P1C55

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input checked="" type="checkbox"/> Amendment under 37 C.F.R. 1.48(b) <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): stamped return postcard		
<table border="1"><tr><td>Remarks</td><td>AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER (Reference Atty. Docket No. 39780-2730P1C55).</td></tr></table>			Remarks	AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER (Reference Atty. Docket No. 39780-2730P1C55).
Remarks	AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER (Reference Atty. Docket No. 39780-2730P1C55).			

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	ANNA L. BARRY, ESQ., REG. NO. 51,436, HELLER EHRMAN WHITE & McAULIFFE LLP		
Signature			
Date	FEBRUARY 25, 2005	Customer Number:	35489

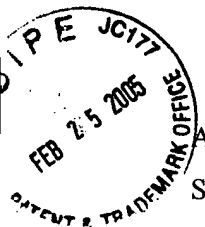
CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Express Mail Label EL EV 582 627 521 US

Typed or printed name	CHERYL ROGERS		
Signature		Date	FEBRUARY 25, 2005

Burden Hour Statement: This form is estimated to take 0.7 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop ____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Goddard et al. Docket No.: 39780-2730P1C55
Serial No.: 09/989,721 Group Art Unit: 1647
Filing Date: November 19, 2001 Examiner: Lorraine Spector
For: **NUCLEIC ACIDS ENCODING PRO809**
Express Mail Label No.: EV 582 627 521 US
Mailing Date: February 25, 2005

AMENDMENT UNDER 37 C.F.R. § 1.48(b)

MS: AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the above identified application, having reviewed the pending claims, Applicants have found that as a result of claim amendments made during prosecution, fewer than all of the currently named inventors are the actual inventors of the invention being claimed in the present application. Accordingly, please delete the names of the following inventors, who have not made an inventive contribution to the currently claimed subject matter:

Avi Ashkenazi
Kevin P. Baker
Luc Desnoyers
Dan L. Eaton
Napoleone Ferrara
Sherman Fong
Hanspeter Gerber
Mary E. Gerritsen
J. Christopher Grimaldi
Ivar J. Kljavin
Mary A. Napier
James Pan
Nicholas F. Paoni
Timothy A. Stewart


Daniel Tumas
Colin K. Watanabe
P. Mickey Williams
Zemin Zhang

Upon entering the present amendment, Audrey Goddard, Paul Godowski, Austin Gurney, David Botstein, William Wood and Margaret Roy remain named inventors in this case.

Although no fees are believed to be due at this time, please charge any fees that might become applicable, including any fees for extension of time, or credit overpayment to Deposit Account No. 08-1641 (Attorney Docket No.: 39780-2730P1C55). Please direct any calls in connection with this application to the undersigned at the number provided below.

Respectfully submitted,

Date: February 25, 2005


 Anna L. Barry, Esq.
 Reg. No. 51,436

HELLER EHRMAN WHITE & McAULIFFE LLP

Customer No. 35489

275 Middlefield Road

Menlo Park, California 94025

Telephone: (650) 324-7000

Facsimile: (650) 324-0638

SV 2097191 v1
 2/25/05 10:28 AM (39780.2730)